

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1056 OF 2013
(arising out of S.L.P. (Civil) No. 14632 of 2012)

TARSEM KUMAR & ORS. Appellant(s)

VERSUS

BHATINDA IMPROVEMENT TRUST & ORS. Respondent(s)

WITH

CIVIL APPEAL NOS. 1057-1058 OF 2013
(arising out of S.L.P. (Civil) Nos. 8050-8051 OF 2013)
[CC NOS. 8763-8764 of 2012]

CIVIL APPEAL NO. 1059 OF 2013
(arising out of S.L.P. (Civil) No. 15859 of 2012)

CIVIL APPEAL NO. 1060 OF 2013
(arising out of S.L.P. (Civil) No. 15912 of 2012)

CIVIL APPEAL NO. 1061 OF 2013
(arising out of S.L.P.(Civil) No. 8052 of 2013)
[CC NO. 9157 of 2012]

CIVIL APPEAL NOS. 1062-1063 OF 2013
(arising out of S.L.P. (Civil) Nos.8053-8054 of 2013)
[CC NOS. 9280-9281 of 2012]

CIVIL APPEAL NO. 1064 OF 2013
(arising out of S.L.P. (Civil) No. 8055 of 2013)
[CC NO. 9484 of 2012]

CIVIL APPEAL NO. 1065 OF 2013
(arising out of S.L.P. (Civil) No. 22269 of 2012)

CIVIL APPEAL NO. 1066 OF 2013
(arising out of S.L.P. (Civil) No. 22271 of 2012)

CIVIL APPEAL NOS. 1067-1071 OF 2013
(arising out of S.L.P.(Civil) Nos. 25221-25225 of 2012)

CIVIL APPEAL NO. 1072 OF 2013
(arising out of S.L.P. (Civil) No. 25232 of 2012)

CIVIL APPEAL NOS. 1073-1074 OF 2013
(arising out of S.L.P. (Civil) Nos. 8056-8057 of 2013)
[CC NOS. 17476-17477 of 2012]

O R D E R

Permission to file special leave petitions is granted.
2. Delay condoned. Substitution allowed.
3. Leave granted.
4. Having regard to the dispute whether notices under Section 38 of the Punjab Town Improvement Trust, 1922 were duly served on the petitioners and, if served, whether any objections were filed by them, Ms. Priya Hingorani, learned counsel for the Bhatinda

Improvement Trust (BIT), submits that BIT has no objections if the matters are appropriately considered by the High Court again.

5. The stance of BIT satisfies learned senior counsel and learned counsel appearing for the petitioners.

6. In view of above, we set aside the impugned order/s. C.W.P. No. 2238 of 1989. L.P.A. No. 44 of 1990 & Cross Objections No. 17 of 1991, L.P.A. No. 46 of 1990, L.P.A No. 45 of 1990, C.W.P. No. 16673 of 1989, L.P.A. No. 48 of 1990 & Cross Objections No. 18 of 1991, L.P.A No. 466 of 1990, L.P.A. No. 47 of 1990, L.P.A. No. 49 of 1990, L.P.A. No. 50 of 1990 & Civil Misc. Nos. 88-91 of 2005, C.W.P. No. 2053 of 1990 and L.P.A. No. 467 of 1990 & Cross Objections No. 20 of 1991 are restored to the file of the High Court. The High Court shall consider the above matters expeditiously and preferably within four months of the production of the order of this Court.

7. All questions in the above matters are left open to be agitated before the High Court.

8. Civil Appeals are disposed of as above. No costs.

.....J.
(R.M. LODHA)

NEW DELHI;J.
FEBRUARY 8, 2013 (J. CHELAMESWAR)

ITEM NO.42 COURT NO.5 SECTION IVB

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).14632/2012

(From the judgement and order dated 02/04/2012 in CWP No.2238/1989 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

TARSEM KUMAR & ORS. Petitioner(s)

VERSUS

BHATINDA IMPROVEMENT TRUST & ORS. Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned Judgment and prayer for interim relief and office report)

WITH

S.L.P.(C).../2012 [CC NOS. 8763-8764 of 2012]
(for substitution and permission to file SLP and c/delay in filing substitution application and with prayer for interim relief and office report)

SLP(C) NO. 15859 of 2012
(With appln(s). for exemption from filing O.T. and with prayer for interim relief and office report)

SLP(C) NO. 15912 of 2012
(With application for substitution and exemption from filing O.T. and c/delay in filing substitution application and with prayer for interim

relief and office report)

S.L.P.(C)..... [CC NO. 9157 of 2012]

(for substitution and permission to file SLP and c/delay in filing substitution application and with prayer for interim relief and office report)

S.L.P.(C)..... [CC NOS. 9280-9281 of 2012]

(for substitution and permission to file SLP and c/delay in filing substitution application and with prayer for interim relief and office report)

S.L.P.(C)..... [CC NO. 9484 of 2012]

(for substitution and permission to file SLP and c/delay in filing substitution application and office report)

SLP(C) NO. 22269 of 2012

(With prayer for interim relief and office report)

SLP(C) NO. 22271 of 2012

(With appln.(s) for substitution and c/delay in filing substitution application and with prayer for interim relief and office report)

SLP(C) NOS. 25221-25225 of 2012

(With appln.(s) for exemption from filing C/C of the impugned judgment and exemption from filing O.T. and permission to file lengthy list of dates and with prayer for interim relief and office report)

SLP(C) NO. 25232 of 2012

(With prayer for interim relief and office report)

S.L.P.(C)..... [CC Nos. 17476-17477 of 2012]

With I.A. 1-2 (c/delay in filing SLP and office report)

Date: 08/02/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s) Mr. Mukul Rohtagi, Sr. Adv.
Mr. Nikhil Nayyar, Adv.
Ms. Pritha Srikumar Iyer, Adv.
Mr. T.V.S. Raghavendra Sreyas, Adv.

Mr. A.V Palli, Adv.
Ms. Rekha Palli, Adv.
Mr. Anupam Raina, Adv.
Mr. K. Vinod Kr., Adv.

Mr. Seeraj Bagga, Adv.
Mr. Rajinder Mathur, Adv.
Ms. Tanuj Bagga Sharma, Adv.

Mr. Vipin Gogia, Adv.
Ms. Jaspreet Gogia, Adv.
Mr. Brijendra Singh, Adv.

Ms. Kavita Wadia, Adv.

Mr. Rajesh Sharma, Adv.
Mr. Ravinder Kr., Adv.
Ms. Shalu Sharma, Adv.

For Respondent(s) Ms. Priya Hingorani, Adv.

Dr. Aman Hingorani, Adv.
Ms. Swati Sumbly, Adv. for
M/S. Hingorani & Associates

UPON hearing counsel the Court made the following
O R D E R

Permission to file special leave petitions is granted.
Delay condoned. Substitution allowed.
Leave granted.
Civil Appeals are disposed of in terms of the signed order.
Pending interlocutory application, if any, stands disposed

of.

| (Rajesh Dham)
| Court Master

| | (Renu Diwan)
| | Court Master

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(signed order is placed on the file)